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FM AMEMBASSY KATHMANDU
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1586
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 4393
RUEHBY/AMEMBASSY CANBERRA PRIORITY 0352
RUEHLM/AMEMBASSY COLOMBO PRIORITY 4649
RUEHKA/AMEMBASSY DHAKA PRIORITY 9753
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 2633
RUEHLO/AMEMBASSY LONDON PRIORITY 4046
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9778
RUEHNY/AMEMBASSY OSLO PRIORITY 0235
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0182
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 0294
RUEHKO/AMEMBASSY TOKYO PRIORITY 0908
RHEFDIA/DIA WASHDC PRIORITY
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RUEKJCS/SECDEF WASHDC PRIORITY
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C O N F I D E N T I A L KATHMANDU 001330

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DEPT FOR SCA/INS

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TAGS: [PTER](#) [PGOV](#) [NP](#)
SUBJECT: CABINET ORDERS PRISONS TO RELEASE MAOISTS

REF: KATHMANDU 1251

Classified By: ADCM Robert Hugins. Reasons 1.4 (b,d).

Cabinet Releases Maoists to Create Good Faith

11. (C) The Cabinet announced the government's code of conduct on May 25, and, as part of the process, ordered the release of almost all Maoists detained in prisons across the nation to help move the peace process along. The peace coordinating committee of the nine major parties in the House of Representatives submitted their final touches to the government's code of conduct the morning of May 25, and the Cabinet met in the afternoon to approve the code. Among other things, the code will restrict the Maoists from carrying out armed activities, extortion and intimidation. The government, in turn, would release detained Maoists, "to move the talk process ahead." Media reported that the Maoists claimed that there were 1200 of their comrades in the government detention. However, Rabi Raj Khanal, Under Secretary at the Home Ministry, told Emboff the government

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had about 700 Maoists in preventive detention. Following the Cabinet's order, the Home Ministry was preparing notices to send to each district to instruct them to release all Maoists in preventive detention. Khanal noted that the government would not release 200 additional Maoists who the government was holding with charges.

Human Rights Groups Applaud Decision

12. (C) Charan Prasai, President of local NGO Human Rights Organization Nepal, welcomed the government's decision. He told Emboff that local human rights groups had been urging the government to release Maoists in preventive detention, explaining that the process denied the Maoists the right to due process. Prasai noted that the Cabinet's decision would create a conducive environment to move forward with peace

talks. Subodh Pyakurel, President of local NGO INSEC, also hailed the decision as positive. "All preventive detention is unacceptable," Pyakurel said, adding "even the current government's detention of former Ministers should be condemned for not following legal norms."

Cabinet Names Dialogue Team

13. (U) The government on May 25 announced two more names for its dialogue team headed by Home Minister Krishna Prasad Sitaula (reftel). A cabinet meeting held at the residence of Prime Minister Girija Prasad Koirala added Tourism Minister Pradip Gyawali (CPN-UML) and Labor Minister Ramesh Lekhak (of Nepali Congress-Democratic) to the team. The government announced that it was immediately ready to sit for dialogue with the Krishna Bahadur Mahara-led negotiating team of the Maoists.

Comment

14. (C) The government is giving the Maoists everything they want but they have little to show for it in return. The Maoists have yet to release all of their captives. However, the government is positioning itself to be able to absolve itself from any blame should peace talks fail.
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